

### **EXAMINER'S AMENDMENT**

1. Claims 1-26 are pending in the application.
2. In view of the Examiner's amendment below, claims 1-15, 18, and 20-26 are allowed.
3. The restriction requirement among the species of Group I of the restriction requirement of May 12, 2008 is withdrawn.
4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gregory York on July 14, 2010 .

The application has been amended as follows:

Claims 16, 17, and 19 are cancelled from the application.

These claims are drawn to non-elected inventions which do not include the same limitations as the allowed methods and compositions.

5. The following is an examiner's statement of reasons for allowance: Applicant's arguments with respect the teachings in the art regarding the combination of iscoms and live microorganisms and the effect of the combination upon administration in vivo are found persuasive. The teachings appear to indicate that those of ordinary skill in the art would have been lead away from the combination for the reasons indicated by the Applicant in (e.g.) pages 12-15 of the arguments presented with the response.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachariah Lucas whose telephone number is (571)272-0905. The examiner can normally be reached on Monday-Friday, 8:30 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey J. Stucker can be reached on 571-272-0911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Zachariah Lucas/  
Primary Examiner, Art Unit 1648